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FISCAL IMPACT REPORT

ORIGINAL DATE 2/21/2007

SPONSOR Campos LAST UPDATED 3/15/2007 HB 1153/aHFI/aSRC

SHORT TITLE Election Code Terminology Updates SB _____

ANALYST Moser/Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates: SB 948

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Secretary of State (SOS)

SUMMARY

Synopsis of SRC Amendment

Senate Rule Committee amendment strikes the sections regarding emergency paper ballots for primary and general elections, receipt and delivery of paper ballots and the procedure voters shall follow after marking their ballot. It repeals Laws 1977, Chapter 222, Section 48 through 72 and Laws 1991, Chapter 105, Section 35

Synopsis of HFI Amendment

House Floor Amendment # 1 to House Bill 1153 makes technical corrections to the references of specific sections of the Law being changed. This clarifies questions raised by the Attorney General's Office.

Synopsis of Original Bill

House Bill 1153 provides terminology updates to several sections of the Election Code. New

Mexico uses a uniform system of paper ballots and tabulators so references to: (a) electronic voting machines have become obsolete and (b) special emergency ballots have become obsolete.

SIGNIFICANT ISSUES

In the absence of statutory provisions relating to the use of emergency paper ballots, the Secretary of State will need to prepare instructions to be made applicable in emergency situations.

The AGO indicates that it is unclear in Section 7 whether the bill also repeals Sections 1-12-57 through 1-12-62. It is unclear why the bill does not also repeal Sections 1-12-63 to 1-12-69.

The Secretary of State indicates a strong endorsement of this bill, adding that it updates references to voting machines to reflect electronic vote tabulator systems. Removes outdated sections where possible.

ADMINISTRATIVE IMPLICATIONS

The Secretary of State's office notes that the bill will have it issue new rules, regulations and guidelines.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

As reported by the Secretary of State, the consequences on not enacting this bill will be confusion, misinterpretation, unnecessary language in current Election Code.

EO/GM/nt